

H.4833 SC Higher Education Governance Act- Summary

SECTION 1: Names as the “South Carolina Higher Education Governance Act”.

*SECTION 2: Creates §59-103-21, which moves program approval from Chapter 101 [formerly §59-101-150] to Chapter 103, and adds program termination authority and a legislative appeals process.

SECTION 3: Amends §2-47-40 (A) and (B) This conforms the language to actual Capital Permanent Improvement Process (CPIP) and Interim Capital Project approval processes.

SECTION 4: Amends §8-17-380 by removing CHE from human resources administration for academic employees; all of the processes for employee grievances are handled through the Department of Administration Division of State Human Resources.

SECTION 5: Amends §59-53-40 by aligning responsibilities with SC Technical College System.

SECTION 6: Amends §59-59-190(A) by allowing the Technical College System, the Department of Education and the CHE to work in planning and promotion of career information and employment options with DEW.

SECTION 7: Amends §59-59-210 by removing obsolete language concerning dual-enrollment policies and procedures.

SECTION 8: Amends §59-101-345 to remove obsolete Palmetto Fellows funding reference because Palmetto Fellows is now open-ended by statute.

SECTION 9: Amends §59-101-190 to allow the Deans’ Committee on Medical Education to meet at the call of the Chair but not less than once annually, which is more workable than requiring quarterly meetings.

SECTION 10: Amends §59-101-350 (B) & (C) by moving reporting of remedial courses from 4-year institutions (Section B) to the 2-year institutions (Section C).

SECTION 11: Amends §59-103-10 by adding the State Superintendent of Education or his designee to the State Commission on Higher Education membership; allows the Independent Colleges’ ex-officio member to have a designee.

*SECTION 12: Amends §59-103-35. Clarifies budget submission language and provides that institutions and the State Board for Technical and Comprehensive Education must provide further information about the Budget requests to CHE if it is requested.

SECTION 13: Amends §59-103-40 to allow the Council of Presidents to meet at the call of the Chair but not less than once annually with the Commission, which is more workable than requiring quarterly meetings.

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SECTION 14: Amends §59-103-45(3) tasks CHE with ensuring minimum undergraduate admission standards instead of just reviewing the standards.

*SECTION 15: Amends §59-103-60 to add that CHE shall make recommendations in the sole discretion of the Commission on policies, programs, curricula, facilities, administration, and financing of state-supported institutions.

SECTION 16: Amends §59-103-80 by removing obsolete internal accounting references.

SECTION 17: Amends §59-103-160 by deleting a paragraph concerning English fluency of instructors and removes a paragraph establishing a student grievance process that is covered elsewhere through other processes at the institutions, including student surveys and complaints about faculty.

SECTION 18: Amends §59-103-162 by realigning the responsibilities to the Department of Commerce, which conforms to current funding.

SECTION 19: Amends §59-103-165 by modernizing language concerning marketing of post-secondary education opportunities to middle and high school students; deletes reference to completed pilot program.

SECTION 20: Amends §59-103-180 by updating language concerning marketing of post-secondary education opportunities to middle and high school students.

SECTION 21: Amends §59-104-20 Removes section (C) that allocates Palmetto Fellows Scholarship funds for a percentage of students attending independent colleges. Palmetto Fellows has open-ended appropriations through Lottery proceeds, and all eligible students receive this scholarship whether they go to a SC public or independent institution. Also adds paragraph (H) which codifies a proviso allowing Palmetto Fellows and LIFE scholarships to be used during the summer.

SECTION 22: Amends §59-104-30 to clarify that the Technical College System develops plans for developmental education (remediation).

SECTION 23: Amends §59-105-60 by placing the development of sexual assault policies with the individual institutions.

SECTION 24: Amends §59-142-20 by removing obsolete language concerning need-based grants; adds section to provide legal authority to promulgate regulations (as described in §1-23-110(A)(1)(c), establish procedures, and make budget requests for the program.

SECTION 25: Repeals the following:

1. Repeals 59-101-150. The language dealing with program approval and authorizing program termination has been moved to Section 59-103-21. *[See Section 2 of Bill]*

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2. § 59-101-340 repeals the “Cutting Edge Research Investment Initiative” section, which is no longer funded.

3. § 59-103-36 (Military Students Included in Count of Full-Time Students) Deleted due to conflict with §59-112-10. A “Military Student” as defined in Residency Regulation is reported through CHEMIS as part of the enrollment data.

4. § 59-103-50 deletes the Advisory Council of Private College Presidents since business with the independents is coordinated through the SC Independent Colleges and Universities Association.

5. §59-103-120 concerning the accreditation and chartering of chiropractic colleges is deleted because this requirement is covered by the licensing and program approval process.

6. § 59-103-170 is repealed to delete reference to pilot program conducted in 1991-1992.

7. § 59-104-40 (Technical education system shall convert to semester calendar; limitation on offering of certain courses) is deleted as the majority of technical colleges have converted to semester calendars where practicable. Transfer courses are offered in accordance with course articulation requirements.

8. § 59-104-230 repeals the Endowed Professorships Program, which is no longer funded. Most institutions have since developed processes and programs to attract and retain productive faculty.

9. § 59-104-240 deletes statute relating to salary enhancement programs for technical colleges and two-year campuses. This program is no longer funded; faculty salaries are provided as a component of the Mission Resource Requirement (MRR).

10. § 59-104-250 deletes requirement for Technical college libraries to convert to computer-based automated systems that are compatible with the State Library. All are in compliance.

11. § 59-104-410 repeals Research Investment Fund statutes. The program is defunct and funding has since been incorporated in the Mission Resource Requirements (MRR) Funding Formula.

12. § 59-104-420 repeals Research Investment Fund statutes. The program is defunct.

13. § 59-104-430 repeals Research Investment Fund statutes. The program is defunct.

14. § 59-104-440 repeals Research Investment Fund statutes. The program is defunct.

15. § 59-104-620 is no longer needed as a separate initiative. All institutions have planning processes approved by the Boards of Trustees.

16. §59-104-640 is no longer needed as a separate initiative. All institutions have planning processes approved by the Boards of Trustees.

SECTION 23: Effective date: Upon approval of the Governor.